

The Georgia Board of Nursing met January 16-18, 2008 in Conference Room 104 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217.

**WEDNESDAY, JANUARY 16, 2008**

**MEMBERS PRESENT**

Scott Thigpen, RN, MSN, CEN, CCRN  
Toni Barnett, RN, Ph.D., APRN  
Kellie R. Lockwood, RN, MSN  
Linda Easterly, RN, BSN, MSA, MS, COHN-S  
Susan Ayers, RN, BSN, MPH

**MEMBERS ABSENT**

Linda Herren, RN, CRNA, President  
Karen K. Wessinger, BSHE, Vice President  
Delynn Keeton, RN, MN, CPHRM

**STAFF PRESENT**

Sandy Bond, RN, MSN, MBA, Executive Director  
Deborah Beard, Compliance Manager  
Gwen Dodson, Administrative Assistant  
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline  
Julia Gould, RN, MS, Nursing Consultant – Education  
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant-Practice  
Janet Jackson, JD, Assistant Attorney General  
Meredith Kendall – Staff Attorney – Legal Services  
Sonya Williams – Staff Attorney-Legal Services  
Julie Fisher – Staff Attorney-Legal Services  
L'etrice Peaco – Intern-Legal Services

**VISITORS PRESENT (During Executive Session, visitors are excused unless scheduled for personal appearance)**

Patricia Ogude	
Jennifer Brooks	Gordon College
Sharon Thompson	Newbeginnings Ministries

**PERSONAL APPEARANCES**

AO-RNI080272	Personal Appearance
LS-RNI080390	Personal Appearance
AT-RNI080083	Personal Appearance

Mr. Thigpen called the meeting to order at 10:06 a.m. on Wednesday, January 16, 2008. A quorum to conduct disciplinary matters was determined to exist.

**MISCELLANEOUS**

Mrs. Easterly moved to refer the wording on applications regarding the nurse administrator/dean recommending a graduate of a nursing program for the NCLEX exam to the Education Committee for review. Also, the Board would like for the committee to look at all aspects of the application in order to improve the process and refer NCLEX applicants to the website to download the NCLEX Bulletins. Dr. Barnett seconded the motion and it carried unanimously.

## APPROVAL OF BOARD MINUTES

Dr. Barnett moved to accept the November 14-16, 2007 minutes with corrections noted. Mrs. Lockwood seconded the motion and it carried unanimously.

Mrs. Easterly moved, Mrs. Lockwood seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Ayers, Dr. Barnett and Mr. Thigpen.

At the conclusion of Executive Session on Wednesday, January 16, 2008 Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

## INVESTIGATIVE REPORTS

(RNI=Registered Nurse Investigative Case Number)

RNI030061 – Dr. Barnett moved to close the case. Mrs. Easterly seconded the motion and it carried unanimously.

RNI060325 – Mrs. Lockwood moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

RNI060498– Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or a Public Consent Order to include Indefinite Suspension. RN may petition for lifting suspension after (12) twelve months of documented sobriety. Mrs. Ayers seconded the motion and it carried unanimously.

RNI060582 – Mrs. Easterly moved to close the case and alert the system. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI060617 – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension and to notify the Louisiana Board of Nursing of our action. In order for suspension to be lifted, the applicant will need a MPE. Mrs. Easterly seconded the motion and it carried unanimously.

RNI070082 – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include (4) four years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Dr. Barnett seconded the motion and it carried unanimously.

Aylward, Robin – Mrs. Ayers moved to accept the Voluntary Surrender and send a letter regarding treatment options and an avenue for reinstatement. Dr. Barnett seconded the motion and it carried unanimously.

RNI070105 – Mrs. Easterly moved to close the case with no action. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI070106 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for (4) four years, substance abuse stipulations, narcotic restrictions, and quarterly reports. The Board will give credit for documented time served in treatment. Mrs. Lockwood seconded the motion and it carried unanimously.

RNI070118 – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or a Private Consent Order to include (4) four years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Ayers seconded the motion and it carried unanimously.

RNI070237 – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI070244** – Mrs. Lockwood moved to refer to Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension. RN may petition for reinstatement after MPE results and recommendations are received by the Board. Dr. Barnett seconded the motion and it carried unanimously.

**RNI070255** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension until criminal charges are resolved. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI070298** – Mrs. Easterly moved to close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI070305** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include four years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. RN must notify Board of final court disposition and if convicted of felony drug charge, RN will be suspended for three (3) months and the Private Consent Order will revert to a Public Consent Order. Mrs. Ayers seconded the motion and it carried unanimously.

Dr. Barnett moved, Mrs. Ayers seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Lockwood, Mrs. Easterly and Mr. Thigpen.

At the conclusion of Executive Session on Wednesday, January 16, 2008 Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

**RNI070349** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or a Private Consent Order to include (4) four years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI070354** – Dr. Barnett moved to close the case with a Letter of Concern re: Using Poor Nursing Judgment. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI070485** – Mrs. Easterly moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Dr. Barnett seconded the motion and carried unanimously.

**RNI070486** – Mrs. Ayers moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080043** – Mrs. Lockwood moved to close the case. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080091** – Dr. Barnett moved to refer to Investigations to issue a Cease & Desist Order, to send investigative file to LPN Board and to alert the Illinois Board of Nursing. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080144** – Mrs. Easterly moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080158** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for (4) four years, substance abuse stipulations, narcotic restrictions and quarterly reports. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080162** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for (4) four years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080218** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for (4) four years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080323** - Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing for Revocation based on criminal conviction. Dr. Barnett seconded the motion and it carried unanimously.

The Georgia Board of Nursing would like to commend Lynn Eason and the Investigations section for the excellent synopsis write up of the cases presented to the Board at the January, 2008 Board Meeting.

Mrs. Easterly moved, Mrs. Ayers seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Lockwood, Mr. Thigpen and Dr. Barnett.

At the conclusion of the Executive Session on Wednesday, January 16, 2008, Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

### **PERSONAL APPEARANCES**

(RNI=Registered Nurse Investigative Case Number)

**RNI080272** – Mrs. Easterly moved to proceed with licensure by Examination. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI030094** – The RN did not show for the scheduled personal appearance.

**RNI070400** – The RN did not show for the scheduled personal appearance.

Mrs. Easterly moved, Dr. Barnett seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Lockwood, Mr. Thigpen and Mrs. Ayers

At the conclusion of Executive Session on Wednesday, January 16, 2008 Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

### **PREVIOUSLY PRESENTED CASES**

(RNI=Registered Nurse Investigative Case Number)

**RNI050399** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include three (3) months suspension for felony drug conviction, substance abuse stipulations, narcotic restrictions, quarterly reports, tracking legal probation and a fine of \$500 for violation of previous consent order. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080348**– Mrs. Lockwood moved to have the RN notify the Board of final disposition of court case and Board will reconsider licensure at that time. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080347** – Mrs. Ayers moved to send a letter to the RN to notify the Board of final disposition of court case in order to be considered for licensure. Dr. Barnett seconded the motion and it carried unanimously.

### **ENDORSEMENT APPLICATION REVIEW**

(RNI=Registered Nurse Investigative Case Number)

**RNI080350** – Mrs. Easterly moved to proceed with licensure by Endorsement with a Letter of Concern re: Criminal. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080349** – Dr. Barnett moved to proceed with licensure by Endorsement to include a fine of \$500 for falsification of application. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080276** – Mrs. Lockwood moved to proceed with licensure by Endorsement. Mrs. Easterly seconded the motion and it carried unanimously.

#### **REINSTATEMENT APPLICATION REVIEW**

(RNI=Registered Nurse Investigative Case Number)

**RNI080346** - Mrs. Ayers moved to issue a temporary permit for re-entry in a Board approved program. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080345** - Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Public Consent Order for Reinstatement to include extension of current probation for four (4) years, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Ayers seconded the motion and it carried unanimously.

#### **MENTAL PHYSICAL EVALUATION REVIEW**

(RNI=Registered Nurse Investigative Case Number)

**RNI070290** – Mrs. Ayers moved to close the case with a Letter of Concern re: Drugs. Dr. Barnett seconded the motion and it carried unanimously.

**RNI070095** – Mrs. Lockwood moved to send the RN a letter stating the MPE is incomplete needing item numbers 1, 3, 4, 5, 6, 7, 8 and 9 on consent order guidelines. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI070406** – Mrs. Ayers moved to proceed with licensure by examination with a Letter of Concern re: Alcohol. Dr. Barnett seconded the motion and it carried unanimously.

**RNI070012** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for four (4) years and psychotherapy quarterly reports. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080047** – Mrs. Ayers moved to proceed with licensure by examination. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080199** – Mrs. Lockwood moved to issue a temporary license and upon completion of a Board approved re-entry program, proceed with Mrs. Easterly seconded the motion and it carried unanimously.

#### **MENTAL PHYSICAL EVALUATION VIOLATIONS**

(RNI=Registered Nurse Investigative Case Number)

**RNI060379** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of MPE order. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI040310** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI60524** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI060368** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI050110** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Dr. Barnett seconded the motion and it carried unanimously.

**RNI050251** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Dr. Barnett seconded the motion and it carried unanimously.

**RNI050432** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI050313** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI060124** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI060302** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI050307** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI060229** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI060299** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Dr. Barnett seconded the motion and it carried unanimously.

**RNI060040** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Dr. Barnett seconded the motion and it carried unanimously.

**RNI060298** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include Indefinite Suspension for violation of a MPE order. RN may petition for reinstatement after completion of an Outpatient MPE and the results are sent to the Board. Mrs. Easterly seconded the motion and it carried unanimously.

## **PERSONAL APPEARANCES**

(RNI=Registered Nurse Investigative Case Number)

**RNI080390** – Mrs. Lockwood moved to proceed with licensure by Reinstatement and refer to the Attorney General's Office for a Hearing or Public Consent Order to include (2) two years probation, narcotic restrictions, quarterly reports, continued treatment in current program with quarterly drug testing and tracking criminal probation until successful completion. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080083** – Mrs. Ayers moved to proceed with licensure by Reinstatement and refer to the Attorney General's Office for a Hearing or Public Consent Order to include (4) four years probation, narcotic restrictions, quarterly reports, a fine of \$500 for violation

of previous consent order and tracking criminal probation. RN must notify Board of completion of criminal probation. Mrs. Easterly seconded the motion and it carried unanimously.

Mrs. Easterly moved, Mrs. Lockwood seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Dr. Barnett, Mr. Thigpen and Mrs. Ayers.

At the conclusion of Executive Session on Wednesday, January 16, 2008 Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

### **LEGAL SERVICES**

(RNI=Registered Nurse Investigative Case Number)

**RNI080189** – Dr. Barnett moved to rescind the previous Board decision and proceed with licensure by Reinstatement. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI070399** – Mrs. Easterly moved to refer case to Investigations for a work history, accurint search and issue a Cease and Desist Order if still working. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080058** – Mrs. Ayers moved to deny applicant's request in letter dated January 7, 2008 and refer the case to Investigations to issue a Cease & Desist Order. Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Easterly moved, Dr. Barnett seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Lockwood, Mr. Thigpen and Mrs. Ayers.

At the conclusion of the Executive Session on Wednesday, January 16, 2008 Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

### **POSSIBLE VIOLATION OF CONSENT ORDER**

(RNI=Registered Nurse Investigative Case Number)

**3801960210/RNI050095** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Indefinite Suspension for violation of Consent Order. RN may petition for reinstatement after 12 months documented sobriety. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI030103** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Revocation based on second felony conviction. Dr. Barnett seconded the motion and it carried unanimously.

**RNI050291** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Revocation based on second felony conviction. Mrs. Easterly seconded the motion and it carried unanimously.

### **MISCELLANEOUS**

(RNI=Registered Nurse Investigative Case Number)

**RNI030134/RNI030165/RNI070234** – Dr. Barnett moved to close the cases in Investigations. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080361** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing to include Indefinite Suspension. RN may petition for reinstatement after 12 months documented sobriety. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI060486** – Dr. Barnett moved to close the case in Investigations and order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney

General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI060545** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Revocation of license. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080342** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions, quarterly reports and a fine of \$500 for second Consent order. Dr. Barnett seconded the motion and it carried unanimously.

Mr. Thigpen adjourned the meeting at 5:10 p.m.

#### **THURSDAY, JANUARY 17, 2008**

##### **MEMBERS PRESENT**

Scott Thigpen, RN, MSN, CEN, CCRN  
Susan Ayers, RN, BSN, MPH  
Kellie R. Lockwood, RN, MSN  
Toni Barnett, RN, Ph.D., APRN  
Linda Easterly, RN, BSN, MSA, MS, COHN-S

##### **MEMBERS ABSENT**

Linda Herren, RN, CRNA, President  
Karen Wessinger, BSHE, Vice President  
Delynn Keeton, RN, MN, CPHRM

##### **STAFF PRESENT**

Sandy Bond, RN, MSN, MBA, Executive Director  
Deborah Beard, Compliance Manager  
Gwen Dodson, Administrative Assistant  
Julia E. Gould, RN, MS, Nursing Consultant – Education  
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant–Practice  
Janet Jackson, JD, Assistant Attorney General  
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline  
Meredith Kendall – Staff Attorney – Legal Services  
Sonya Williams – Staff Attorney-Legal Services  
Julie Fisher – Staff Attorney-Legal Services

##### **VISITORS PRESENT (During Executive Session, visitors are excused unless scheduled for personal appearance)**

Sylvia McDonald	Athens Technical College	Jaime Heath	Medical College of GA
Celia Hay	LaGrange College		

Mr. Thigpen called the meeting to order at 8:35 a.m. on Thursday, January 17, 2008. A quorum to conduct disciplinary matters was determined to exist.

Mrs. Easterly moved, Mrs. Lockwood seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mr. Thigpen, Mrs. Ayers and Dr. Barnett.



At the conclusion of Executive Session on Thursday, January 17, 2008, Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

### **CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE**

(RNI=Registered Nurse Investigative Case Number)

**RNI060026** - Mrs. Ayers moved to approve the continuation of employment with current home care agency but RN must have prior approval to change employment in the future. Dr. Barnett seconded the motion and it carried unanimously.

**RNI070026** – Mrs. Easterly moved to close the case with no action. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI040011** – Mrs. Lockwood moved to not accept the consent order and continue the case in the Attorney General's Office. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI030081** – Mrs. Ayers moved to approve that the RN may pay the fine with a payment plan. Mrs. Easterly seconded the motion and it carried unanimously.

Mrs. Ayers moved to accept the Attorney General's Status and Activity Report and to accept the following Consent Agreements/Orders as prepared by the Attorney General's office.

RNI080212	RNI080194	Elstad, Jane	RNI080195	Walraven, Misti
RNI060026	Cree, Charlotte	Gibbs, Donna	RNI070242	Ball, Deborah
Adams, Howell	Dent, Laura	RNI060153	Love, Cathy	Sanders, Tori
RNI080239	RNI080062	RNI060484	RNI070342	Daneker, Susan
Douglas, Jennifer	Walton-Groom, Tina	Smith-Hicks, Marchette	Munroe, Melanie	Unruh, Gregory
Robertson, Jacob	Swicegood, Eric	Jernigan-Crowe, Misheila		

Dr. Barnett seconded the motion and it carried unanimously.

### **CHANGE IN PROVIDERS FOR AFTERCARE PROVIDERS**

**Brown, Dr. Angela** – Mrs. Easterly moved to approve the doctor as an aftercare provider. Mrs. Lockwood seconded the motion and it carried unanimously.

**Figueroa, Dr. Cesar** – Mrs. Easterly moved to approve the doctor as an aftercare provider. Mrs. Lockwood seconded the motion and it carried unanimously.

Mrs. Easterly moved, Mrs. Ayers seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases.* The motion passed unanimously. Those who voted to enter into Executive Session: Mr. Thigpen, Mrs. Lockwood and Dr. Barnett.

At the conclusion of Executive Session on Thursday, January 17, 2008, Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

### **MISCELLANEOUS**

(RNI=Registered Nurse Investigative Case Number)

**RNI080343** – Mrs. Easterly moved to close the case with a Letter of Concern re: Alcohol. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080236** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for (4) four years, substance abuse stipulations, narcotic restrictions, and quarterly reports. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080360** – Mrs. Easterly moved to close the case with a Letter of Concern re: Criminal. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080358** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include three (3) months suspension for a felony drug conviction, probation for (4) four years, substance abuse stipulations, narcotic restrictions, and quarterly reports. Mrs. Ayers seconded the motion and carried unanimously.

**RNI080243** – Mrs. Lockwood to refer to the Attorney General's Office for a Hearing or Private Consent Order to include probation for (4) four years, substance abuse stipulations (alcohol), narcotic restrictions, and quarterly reports. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080357** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080356** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080355** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions and quarterly reports. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080354** – Mrs. Lockwood moved to close the case with a Letter of Concern re: Criminal. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI070413** – Mrs. Ayers moved to approve lifting of narcotic restrictions. The RN will remain in current job position and must notify the Board of any job changes. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080048** – Mrs. Lockwood moved to close the case with a Letter of Concern re: Completion of Anger Management course. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080249** – Mrs. Ayers moved to close the case in investigations and refer to the Attorney General's Office for a Hearing or Public Consent Order to include three (3) months suspension for a felony drug conviction, probation for (4) four years, substance abuse stipulations, narcotic restrictions, quarterly reports, and a fine of \$1000 for violation of previous consent orders. Dr. Barnett seconded the motion and carried unanimously.

**RNI080242** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing or Private Consent Order to include four (4) years probation, substance abuse stipulations, narcotic restrictions, quarterly reports and final disposition of court case must be reported to the Board. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080344** - Dr. Barnett moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080241** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include two (2) years probation, substance abuse stipulations, quarterly reports, a fine of \$500 for failure to disclose DWI conviction in 2002 and tracking New York criminal probation. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080353** - Mrs. Ayers moved to order licensee to have an Outpatient MPE. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080352** – Mrs. Easterly moved to refer to the Attorney General's Office for a Hearing for Indefinite Suspension or Voluntary Surrender based on criminal activity in North Carolina. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080351** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing for Indefinite Suspension or Voluntary Surrender based on Action in Another Jurisdiction. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080225** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Hearing for Indefinite Suspension or Voluntary Surrender based on Action in Another Jurisdiction. Mrs. Ayers seconded the motion and it carried unanimously.

**RNI080359** – Mrs. Ayers moved to order licensee to have an Expedited Outpatient MPE by a Psycho/Sexual Expert Physician. Results are to be reviewed by the Cognizant board member and the Legal/Discipline Nursing Consultant. If warranted, refer to the Attorney General's Office for a hearing or consent order utilizing evaluation results and/or recommendations. Dr. Barnett seconded the motion and it carried unanimously.

#### **COMPLAINT REVIEW**

(RNI=Registered Nurse Investigative Case Number)

**RNI070304** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include an Indefinite Suspension based on Action in Another Jurisdiction. Dr. Barnett seconded the motion and it carried unanimously.

#### **PEER REVIEW**

(RNI=Registered Nurse Investigative Case Number)

**RNI060111** – Dr. Barnett moved to close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

**RNI080101** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Consent Order to include a nursing course in documentation, physical assessment and ethics and refer the case to the Medical Board. Mrs. Easterly seconded the motion and it carried unanimously.

**RNI080102** – Mrs. Lockwood moved to refer to the Attorney General's Office for a Consent Order to include a nursing course in documentation, physical assessment, ethics and refer the case to the Medical Board. Mrs. Ayers seconded the motion and it carried unanimously.

#### **POSSIBLE VIOLATION OF CONSENT ORDER**

(RNI=Registered Nurse Investigative Case Number)

**3801010166/RNI030253** – Mrs. Ayers moved to refer to the Attorney General's Office for a Hearing or Public Consent Order to include an Indefinite suspension based on violation of consent order. RN may petition for reinstatement after twelve (12) months documented sobriety, substance abuse stipulations, narcotic restrictions and quarterly reports. Dr. Barnett seconded the motion and it carried unanimously.

**3801010166/RNI030253** – Mrs. Ayers moved to deny request to end probation early. Dr. Barnett seconded the motion and it carried unanimously.

#### **OPENS RECORDS REQUEST**

(RNI=Registered Nurse Investigative Case Number)

**RNI080382** – Dr. Barnett moved to release application file. Mrs. Lockwood seconded the motion and it carried unanimously.

#### **POSSIBLE VIOLATION OF CONSENT ORDER**

(RNI=Registered Nurse Investigative Case Number)

**3801960209** – Mrs. Easterly moved to close the case. Mrs. Lockwood seconded the motion and it carried unanimously.

#### **REQUEST TO END PROBATION EARLY**

(RNI=Registered Nurse Investigative Case Number)

**3801940051/RNI060333** – Mrs. Ayers moved to continue quarterly drugs screens, self reports and accept therapist's reports as submitted. Dr. Barnett seconded the motion and it carried unanimously.

## LEGAL/DISCIPLINE COGNIZANT REPORT

Dr. Barnett moved to ratify the recommendations by the Cognizant Board member to close the following complaints. Mrs. Easterly seconded the motion and it carried unanimously.

RNI080334	RNI080304	RNI080306	RNI080308	RNI080307	RNI080250	RNI080336
RNI080314	RNI060155	RNI080313	RNI060126	RNI060428	RNI070079	RNI080337
RNI080338	RNI040043	RNI080335	RNI080311	RNI070079	RNI606160	RNI080325
RNI080339	RNI080340	RNI080205				

## REQUEST TO LIFT NARCOTIC RESTRICTIONS

(RNI=Registered Nurse Investigative Case Number)

Mrs. Ayers moved to accept the following recommendations for the cases listed below:

	RECOMMENDED ACTION
Bellflower, Heather	Deny request to lift narcotic restrictions.
Cable, Donna	Lift narcotic restrictions.
RNI050324	Lift narcotic restrictions.

Mrs. Lockwood seconded the motion and it carried unanimously.

## APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Mrs. Easterly moved, Mrs. Ayers seconded and the Board voted to approve applications for licensure and advanced practice authorization for the months of November, 2007 through December, 2007 that were determined, pursuant to Board approved guidelines, to have met licensure/authorization requirements. See attached reports.

## EXECUTIVE DIRECTOR'S REPORT

Mrs. Bond reported on the following:

- **Correspondence:** Letter from Patricia Walker, GA Dept. of Community Health re: Questions for clarification.

Mrs. Easterly moved to invite Patricia Walker to the March, 2008 Georgia Board of Nursing meeting to discuss the Department of Community Health concerns. Mrs. Ayers seconded the motion and it carried unanimously.

- **Correspondence:** Letter from LaSharn Hughes re: Mail list or notices sent electronically for rule-making proceedings.

## ADVANCED PRACTICE COMMITTEE- DR. BARNETT

- Dr. Barnett presented the Board with a copy of the January 9, 2008 Advanced Practice Committee Meeting minutes.

Mrs. Lockwood moved, Dr. Barnett seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Easterly, Mrs. Ayers and Mr. Thigpen.

At the conclusion of Executive Session on Thursday, January 17, 2008 Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

## **INTERNATIONAL APPLICATIONS – JULIA GOULD**

**MB** – Mrs. Lockwood moved to approve MB as a candidate for the NCLEX-RN. Upon passing the examination proceed with licensure by examination. [410-6-.02] Mrs. Easterly seconded the motion and it carried unanimously.

**SO** – Mrs. Easterly moved to approve SO as a candidate for the NCLEX-RN. Upon passing the examination proceed with licensure by examination. [410-6-.02] Mrs. Lockwood seconded the motion and it carried unanimously.

**MM** – Mrs. Lockwood moved to notify MM that in order for her to be considered as a duly qualified applicant for licensure by examination, she must enroll in and graduate from an approved nursing education program leading to initial licensure as a first-level registered nurse. The program must meet criteria similar to, and no less stringent than, those established by the Georgia Board of Nursing. [410-6-.02 (1), (2)] Mrs. Easterly seconded the motion and it carried unanimously.

**IS** – Mrs. Ayers moved to notify IS that, in order to be considered as a duly qualified applicant for licensure by examination, she must enroll in and pass complete courses (class and clinical components) in maternal/infant nursing and mental/psychiatric nursing. These courses must occur at an approved nursing education program leading to initial licensure as a first-level registered nurse which has criteria similar to, and no less stringent than, those established by the Georgia Board of Nursing. The Registrar of the college/university must be requested to send an official transcript documenting the passing of the courses directly to the Board of Nursing. [410-6-.02 (1) and (2) (c)] Dr. Barnett seconded the motion and it carried unanimously.

**JW** – Mrs. Easterly moved to notify JW that, in order to be considered as a duly qualified applicant for licensure by examination, she must provide documentation of high school equivalency in the United States through successful completion of the General Education Development (GED) examination. [410-6-.02 (1) and (2)] Mrs. Ayers seconded the motion and it carried unanimously.

## **DEVELOPING PROGRAMS**

### **LaGrange College**

Dr. Barnett moved to accept the following:

1. Grant Initial Approval to be the reconstituted BSN Program at LaGrange College with enrollment of its first 20 students in the fall semester 2008. [410-3-.02 (1)(b)]
2. A site visit will be conducted during the 2008-09 academic year. [410-4-.01 (7)]

Mrs. Ayers seconded the motion and it carried unanimously.

## **RESPONSES TO SITE VISIT REPORTS**

### **Medical College of Georgia**

Dr. Barnett moved to accept the responses to the June 20-21, 2007 site visit report submitted by the Medical College of Georgia's Clinical Nurse Leader Program. [410-3-.11 (2)] Mrs. Easterly seconded the motion and it carried unanimously.

## **SITE VISIT REPORT**

### **Athens Technical College**

Mrs. Easterly moved to accept the following commendations:

1. Over the last four (4) years (2003-2006), 91.6% (143/156) of first-time NCLEX-RN writers have passed. [410-3-.09 (1) and (2)]
2. A plan for continuous quality assessment and improvement has been developed and implemented. [410-3-.03 (8)]
3. Faculty minutes clearly document business conducted and actions taken. [410-3-.03 (9); 410-3-.05 (12)]
4. Teaching/learning strategies, activities, and interactions incorporate praxis, reflection, critical thinking, and decision-making. [410-3-.04 (8)]

5. Teaching/learning strategies, activities, and interactions facilitate the transition to professional practice. [410-3-.04 (9)]
6. Various strategies are used in the assessment and evaluation of student outcomes. [410-3-.04 (11)]
7. Faculty members have the graduate nursing education, expertise, and professional development to enable the goals of the curriculum. [410-3-.05 (8)]
8. Learning activities with preceptors have clearly developed guidelines and processes. [410-3-.03]

Dr. Barnett seconded the motion and it carried unanimously.

Mrs. Easterly moved to accept the following recommendations:

1. Develop a uniform format for syllabi with attention to course outlines, grading breakdown, and assigned faculty members. [410-3-.03 (10)]
2. Clearly describe the use of standardize testing throughout the curriculum in syllabi and in the handbook. [410-3-.03 (10); 410-3-.04 (11); 410-3-.07 (2)]
3. Review and revise the accelerated option for licensed practical nurses so that it is clear, consistent, and streamlined. [410-3-.04 (2); 410-3-.07 (2)]
4. Provide the written agreement with Gwinnett Technical College which delineates the responsibilities for all involved parties. [410-3-.10 (10)]
5. Provide the written rationale (s) describing why Gwinnett cohort does not have access to Gwinnett Medical Center for clinical learning activities. [410-3-.10 (9)]

Mrs. Ayers seconded the motion and it carried unanimously.

## **PROGRAM APPROVAL**

### **V aldosta State University**

Mrs. Easterly moved based upon review and documentation of compliance with rules relating to annual reports, the most recent site visit report and responses to it, and an overall passing percentage of 82.2% (204/248) of all first-time writers over the last four (4) years (2004-2007), Full Approval is extended through December 31, 2010. [410-3-.02 (2) (a)] If no other reason presents itself, the next site visit will be scheduled for the 2009-2010 academic year. [410-3-.01(8)] Dr. Barnett seconded the motion and it carried unanimously.

### **Clayton State University**

Mrs. Lockwood moved based upon a passing percentage of first-time NCLEX-RN writers in 2007 of 78.8 % (56/71) but with an overall four-year passing percentage of 88.1 %, Clayton State University must submit a written assessment and plan of action no later than February 13, 2008 for review at the March 19-21, 2008 board meeting. [410-3-.02 (2)(b)]

### **Dalton State College-Correspondence**

Mrs. Easterly moved to conduct a site visit to Dalton State College for this fiscal year (2008) due to a student concerns. Dr. Barnett seconded the motion and it carried unanimously.

## **APPLICATION REVIEWS AND APPROVAL OF LICENSURE**

(RNI=Registered Nurse Investigative Case Number)

Mrs. Lockwood moved to accept the Cognizant Report regarding unlicensed/unauthorized practice and to refer identified cases to Legal Services for issuance of a Private Consent Agreement. Mrs. Ayers seconded the motion and it carried unanimously. See attached reports.

## **APPLICATION REVIEWS AND APPROVAL OF LICENSURE**

(RNI=Registered Nurse Investigative Case Number)

**Applicant #1114496** – Mrs. Easterly moved to refer to Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$3400 for unlicensed practice. Mrs. Lockwood seconded the motion and it carried unanimously.

**Applicant #1353742** – Mrs. Easterly moved to refer to Legal Services for a Private Consent Agreement for Reinstatement to include a fine of \$1700 for unlicensed practice. Dr. Barnett seconded the motion and it carried unanimously.

## **MISCELLANEOUS**

(RNI=Registered Nurse Investigative Case Number)

**Smart, Craig** – Mrs. Easterly moved to accept the Public consent order for Reinstatement. Dr. Barnett seconded the motion and it carried unanimously.

**RNI080168** – Mrs. Easterly moved to accept the Private consent order. Dr. Barnett seconded the motion and it carried unanimously.

**RNI070086** – Mrs. Easterly moved to accept the Private consent order. Dr. Barnett seconded the motion and it carried unanimously.

## **CONSENT ORDER-LEGAL SERVICES**

(RNI=Registered Nurse Investigative Case Number)

Mrs. Ayers moved to accept the following Private Consent Agreements prepared by Legal Services.

RNI080301	RNI080296	RNI080179	RNI080288	RNI080291
RNI080275	RNI080180	RNI080178	RNI080300	RNI080286
RNI080290	RNI080192	RNI080176	RNI080289	RNI080294
RNI080297	RNI080172	RNI080299	RNI080295	RNI080294
RNI080278	RNI080277	RNI080298	RNI080183	RNI080293
RNI080292	RNI080186	RNI080287		

Mrs. Easterly seconded the motion and it carried unanimously.

Mr. Thigpen adjourned the meeting at 2:35 p.m.

After the Board meeting, the Board held a work session to review Board cases.

## **FRIDAY, JANUARY 18, 2008**

### **MEMBERS PRESENT**

Scott Thigpen, RN, MSN, CEN, CCRN  
Susan Ayers, RN, BSN, MPH  
Kellie R. Lockwood, RN, MSN  
Toni Barnett, RN, Ph.D., APRN  
Linda Easterly, RN, BSN, MSA, MS, COHN-S

### **MEMBERS ABSENT**

Linda Herren, RN, CRNA, President  
Karen Wessinger, BSHE, Vice President  
Delynn Keeton, RN, MN, CPHRM

## **STAFF PRESENT**

Sandy Bond, RN, MSN, MBA, Executive Director  
Deborah Beard, Compliance Manager  
Gwen Dodson, Administrative Assistant  
Ellen Morris, Board Secretary  
Katrina Martin, RN, BSN, COHN-S, Nursing Consultant–Practice  
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline  
Janet Jackson, JD, Assistant Attorney General  
L'etrice Peaco – Legal Services Intern

## **VISITORS PRESENT (During Executive Session, visitors are excused unless scheduled for personal appearance)**

Sherry Haizlip	Medical Center of central Georgia	Jan Marten	Gordon College (student)
Christie Bohensh	Gordon College (student)	Katie Davis	Gordon College (student)

Mr. Thigpen called the meeting to order at 8:45 a.m. on Friday, January 18, 2008. A quorum to conduct disciplinary matters was determined to exist.

The Board reviewed cases until the start of the Public Rules Hearing.

## **PUBLIC RULES HEARING**

### **RULE 410-13-.01**

Dr. Barnett moved to adopt the rule as posted. Mrs. Easterly seconded the motion and it carried unanimously.

#### **410-13-.01 Used By Advanced Practice Registered Nurses of Nurse Protocol Agreements Authorized by O.C.G.A. § 43-34-26.1. Amended.**

(1) The general purpose of this rule is to assist in protecting and safeguarding the public by regulating the practice of advanced practice registered nurses who use protocols authorized by O.C.G.A. § 43-34-26.1.

(2) An advanced practice registered nurse who uses a protocol authorized by O.C.G.A. § 43-34-26.1 shall:

(a) hold a current license to practice as a registered professional nurse in Georgia;

(b) hold current authorization to practice as an advanced practice registered nurse in Georgia;

(c) adhere to a nurse protocol agreement which is a written document mutually agreed upon and signed by the nurse and licensed physician which specifies medical acts delegated by the physician to the nurse and provides for immediate consultation with a delegating physician or a physician designated in the absence of the delegating physician; and

(d) document preparation and performance specific to each medical act authorized by a written nurse protocol, including the ordering and administering of controlled substances, ordering and dispensing of dangerous drugs, and ordering medical treatments and diagnostic studies in accordance with O.C.G.A. § 43-34-26.1.

(3) The nurse protocol agreement used by an advanced practice registered nurse under the provisions of O.C.G.A. § 43-34-26.1 shall comply with the following criteria:

(a) shall be in writing and signed by the advanced practice nurse and the delegating physician;

(b) shall be dated, available upon request and specify parameters under which medical acts delegated by the physician may be performed;



- (c) shall include a provision for periodic review of patient records by the delegating physician;
- (d) shall be reviewed, revised or updated annually;
- (e) shall include a provision for immediate consultation with the delegating physician or a physician designated in the absence of the delegating physician; and
- (f) shall contain written provisions regarding the procedure for dispensing dangerous drugs which comply with O.C.G.A. § 43-34-26.1(a)(3), (3.1), (4), and (5), if the dispensing of dangerous drugs is included as a delegated medical act in the nurse protocol agreement.
- (g) shall contain written provisions regarding the procedure for ordering controlled substances which comply with paragraph (b)(1) of O.C.G.A. § 43-34-26.1, if the ordering of controlled substances is included as a delegated medical act in the nurse protocol agreement.

**Authority O.C.G.A. §§ 43-26-3 and 43-26-5.**

Mrs. Lockwood moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplish the objectives of the applicable laws. Mrs. Ayers seconded the motion and it carried unanimously.

#### **RULE 410-13-.02**

Dr. Barnett moved to adopt the rule as posted. Mrs. Easterly seconded the motion and it carried unanimously.

#### **410-13-.02 Use by Advanced Practice Registered Nurses of Nurse Protocol Agreements Authorized by O.C.G.A. § 43-34-26.3.**

- (1) An advanced practice registered nurse ("APRN") who uses a protocol authorized by O.C.G.A. § 43-34-26.3 shall:
  - (a) hold a current license to practice as a registered professional nurse in Georgia;
  - (b) hold a current authorization to practice as an advanced practice registered nurse in Georgia;
  - (c) adhere to a written nurse protocol agreement that is dated and signed by the APRN, the delegating physician, and any other designated physician(s); the APRN's area of practice shall be in the same or comparable specialty as that of the delegating physician; the protocol shall specify the medical acts delegated to the APRN as provided by O.C.G.A. § 43-34-26.3 and shall provide for immediate consultation with the delegating physician or a designated physician if the delegating physician is not available; and
  - (d) document preparation and performance specific to each medical act authorized by the written nurse protocol agreement including ordering drugs, medical treatments or diagnostic studies, medical devices, or, in life threatening situations, radiographic imaging tests.
- (2) An APRN may practice under a nurse protocol agreement authorized by O.C.G.A. § 43-34-26.3 if the nurse protocol agreement adheres to the following criteria:
  - (a) shall bear a current review date; be available upon request; and specify parameters under which delegated medical acts may be performed to include kinds of diagnostic studies which may be ordered, the extent to which radio logic image tests may be ordered, provisions for the reading and interpretation of such tests by a physician who is trained in the reading and interpretation of the tests, circumstances under which prescription drugs orders may be executed, number of refills which may be ordered, include a frequency of follow up review of the patient by the physician, including patients who are on controlled substances;
  - (b) shall include a schedule for periodic review of patient records by the delegating physician, which records review may be achieved with a sampling of such records as determined by the delegating physician;
  - (c) shall be reviewed, revised or updated annually by the APRN, the delegating physician, and any designated physician;

(d) shall include a provision for immediate consultation with the delegating physician or a physician designated in the absence of the delegating physician; and

(e) shall comply with the provisions of O.C.G.A. § 43-34-26.3 regarding prescription drug orders placed by an APRN for a drug or medical device including, but not limited to, the following:

1. no prescription drug orders submitted by an APRN for Schedule I or II controlled substances;
2. no refills of any drug for more than 12 months from the date of the original Order, except in the case of oral contraceptives, hormone replacement therapy, or prenatal vitamins, which may be refilled for a period of 24 months;
3. no drug order or medical device that may result in the performance or occurrence of an abortion, including the administration, prescription or issuance of a drug order that is intended to cause an abortion to occur pharmacologically;
4. written prescription drug orders shall be signed by the APRN, be written on forms that comply with the nurse protocol agreement, and such forms shall contain the information required by paragraph (d) of O.C.G.A. § 43-34-26.3;
5. a written provision in the nurse protocol agreement authorizing the APRN to request, receive, and sign for professional samples, and to distribute them to patients in accordance with a list of professional samples approved by the delegating physician that is maintained by the office or facility where the APRN works and that requires the documentation of each sample received and dispensed; and
6. compliance with applicable state and federal laws and regulations pertaining to the ordering, maintenance, and dispensing of drugs.

(3) Only four (4) advanced practice registered nurses may enter into a nurse protocol agreement with a delegating physician at any one time under O.C.G.A § 43-34-26.3, except this limitation shall not apply to an APRN that is practicing in the following settings:

(a) In a hospital licensed under Title 31;

(b) In any college or university as defined in Code Section 20-8-1;

(c) In the Department of Human Resources;

(d) In any county board of health;

(e) In any free health clinic;

(f) In a birthing center;

(g) In any entity:

1. Which is exempt from federal taxes pursuant to Section 501(c)(3) of the Internal Revenue Code, as defined in Code Section 48-1-2, and primarily serves uninsured or indigent Medicaid and Medicare patients; or

2. Which has been established under the authority of or is receiving funds pursuant to 42 U.S.C. Section 254b or 254c of the United States Public Health Service Act;

(h) In any local board of education which has a school nurse program; or

(i) In a health maintenance organization that has an exclusive contract with a medical group practice and arranges for the provision of substantially all physician services to enrollees in health benefits of the health maintenance organization.

**Authority O.C.G.A. §§ 43-26-3 and 43-26-5.**

Mrs. Lockwood moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplish the objectives of the applicable laws. Mrs. Ayers seconded the motion and it carried unanimously.

### **Chapter 410-13**

Mrs. Lockwood moved to adopt a new wording for the title of Rules Chapter 410-13: Regulation of Protocol use by Advanced Practice Registered Nurses. Mrs. Easterly seconded the motion and it carried unanimously.

Mrs. Lockwood moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplish the objectives of the applicable laws. Mrs. Ayers seconded the motion and it carried unanimously.

Mrs. Ayers moved, Mrs. Lockwood seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), 43-26-5(c) and 43-26-11, *to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and pending cases*. The motion passed unanimously. Those who voted to enter into Executive Session: Mrs. Easterly, Dr. Barnett and Mr. Thigpen.

At the conclusion of Executive Session on Friday, January 18, 2008, Mr. Thigpen declared the meeting to be "Open" pursuant to the Open and Public Meetings Act, O.C.G.A. 50-14-1-et.seq.

### **ATTORNEY GENERAL'S OFFICE**

(RNI=Registered Nurse Investigative Case Number)

**RNI080058** – Mrs. Ayers moved to rescind the previous Board motion and refer the case to Legal Services to respond to the applicant's attorney. Dr. Barnett seconded the motion and it carried unanimously.

**RNI030163** – Dr. Barnett moved to refer to the Attorney General's Office for a Hearing or Revocation based on previous Board decision and noncompliance with Board orders. Mrs. Easterly seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned Friday, January 18, 2008 at 10:13 a.m.

After the Board meeting, the Board held a work session to review Board cases.

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Scott Thigpen, *Acting Chair*

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Sylvia Bond, *Executive Director*

The minutes were recorded by Gwen Dodson, *Administrative Assistant*, and approved March 21, 2008.